

**ENTERED**

November 02, 2016

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

UNITED STATES OF AMERICA

*Plaintiff,*

v.

CASE NO. 7:08-CV-302

0.094 ACRES OF LAND, MORE OR LESS,  
SITUATED IN HIDALGO COUNTY,  
TEXAS; AND EDIBERTO B. REYNA, JR.,  
ET AL.,

*Defendant.*

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**ORDER ESTABLISHING JUST COMPENSATION AND PARTIAL FINAL  
JUDGMENT AS TO DEFENDANTS EDIBERTO B. REYNA, CARLA SUE REYNA AND  
ELDA BELINDA REYNA**

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Pursuant to the Stipulation for Order Establishing Just Compensation signed by the Plaintiff, United States of America (herein "United States"), and the Defendants, EDIBERTO B. REYNA, JR., CARLA SUE REYNA AND ELDA BELINDA REYNA (herein "Defendants"),  
**IT IS HEREBY ORDERED AND ADJUDGED**, that:

1. The full and just compensation payable by the United States shall be: (a) the sum of \$6,150.00 for the taking of the stated interests in Tracts RGV-MCS-1005 (previously known as RGV-MCS-1005-1), RGV-MCS-1005E-1, RGV-MCS-1005E-2 and RGV-MCS-1005-2 identified in the Complaint in Condemnation, as amended (herein "Complaint, as amended" Docket No. 21) pursuant to the Declaration of Taking, as amended (herein "Declaration, as amended" Docket No. 22), filed herein, together with all improvements thereon and appurtenances thereto belonging; (b) the total full and just compensation payable by the United

States in full satisfaction of any and all claims of whatsoever nature against the United States for the institution and prosecution of this action as to Tracts RGV-MCS-1005 (previously known as RGV-MCS-1005-1), RGV-MCS-1005E-1, RGV-MCS-1005E-2 and RGV-MCS-1005-2 to the total sum of \$6,150.00, which sum is all inclusive.

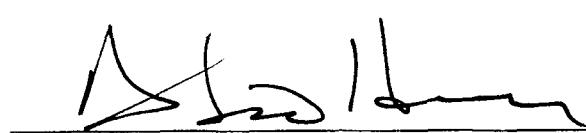
2. Judgment shall be, and is hereby, entered against the United States in the sum of \$6,150.00 for its taking of Tracts RGV-MCS-1005 (previously known as RGV-MCS-1005-1), RGV-MCS-1005E-1, RGV-MCS-1005E-2 and RGV-MCS-1005-2, thereby bringing the total partial final judgment entered in this case as to the aforementioned tracts against the United States to the total sum of \$6,150.00.
3. On January 9, 2009, the United States was heretofore found by this Court to be entitled to immediate possession of Tracts RGV-MCS-1005-1 (now identified as Tract RGV-MCS-1005), RGV-MCS-1005-2, RGV-MCS-10052E-1 (subsequently purchased as part of the Los Ebanos land port of entry by the United States in fee on May 14, 2012 as part of the larger Tract RGV-MCS-1005-3; this transaction is reflected in the General Warranty Deed recorded under instrument number 2012-2308163 in the Office of the County Clerk of Hidalgo County, Texas) and RGV-MCS-1005E-2 (expired by its own terms), and all persons in possession or control of the interests taken in said properties were ordered by this Court to surrender possession of same to the United States.
5. The total sum of \$6,150.00 shall be subject to all real estate taxes, liens, encumbrances, and charges of whatsoever nature existing against the interests in the properties taken in this proceeding at the time of vesting of their respective

titles in the United States, and all such real estate taxes, liens, encumbrances, and charges of whatsoever nature shall be payable and deductible from the said sum.

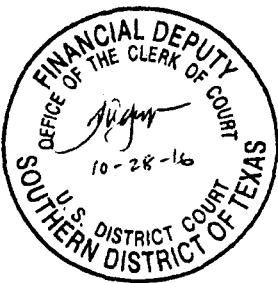
6. Defendants, EDIBERTO B. REYNA, JR., CARLA SUE REYNA AND ELDA BELINDA REYNA, warrant that they were the owners of the interests in the properties taken in this proceeding on their dates of their respective takings; that it has the exclusive right to the compensation, herein; and that no other party is entitled to the same or any part thereof by reason of any unrecorded agreement.
8. In the event that any other party is ultimately determined by a court of competent jurisdiction to have any right to receive compensation for the interests in the properties taken in this proceeding, the Defendants shall refund into the Registry of the Court the compensation distributed herein, or such part thereof as the Court may direct, with interest thereon at an annual rate provided in 40 U. S. C. 3116 (2006) from the date of receipt of the respective deposits by the Defendants to the date of repayment into the Registry of the Court.
9. Defendants, EDIBERTO B. REYNA, JR., CARLA SUE REYNA AND ELDA BELINDA REYNA, shall be responsible for their own legal fees, costs, and expenses; including attorney's fees, consultant's fees, and any other expenses or costs.
10. Defendants, EDIBERTO B. REYNA, JR., CARLA SUE REYNA AND ELDA BELINDA REYNA, shall be responsible for the payment of any taxes or assessments owed on the interests in the properties taken in this proceeding through the date of their respective takings.

11. Defendants, EDIBERTO B. REYNA, JR., CARLA SUE REYNA AND ELDA BELINDA REYNA, hereto shall take no appeal from any rulings or judgments made by the Court in this action, and the parties consent to the entry of all orders and judgments necessary to effectuate this stipulated partial final judgment.
12. Defendants, EDIBERTO B. REYNA, JR., CARLA SUE REYNA AND ELDA BELINDA REYNA, shall save and hold harmless the United States of America from all claims or liability resulting from any unrecorded leases or agreements affecting the interests in the properties taken in this proceeding on the dates of their respective takings.
13. This case shall be concluded as to Defendants EDIBERTO B. REYNA, JR., CARLA SUE REYNA AND ELDA BELINDA REYNA, and this Court hereby enters partial final judgment in this case as to Tracts RGV-MCS-1005 (previously known as RGV-MCS-1005-1), RGV-MCS-1005E-1, RGV-MCS-1005E-2 and RGV-MCS-1005-2 and Defendants EDIBERTO B. REYNA, JR., CARLA SUE REYNA AND ELDA BELINDA REYNA.

DONE AND ORDERED, in chambers, at Brownsville, Texas, this 2<sup>nd</sup>  
day of November, 2016.



ANDREW S. HANEN  
United States District Judge



**AGREED AS TO FORM AND SUBSTANCE:**

**DEFENDANTS:**

**EDIBERTO B. REYNA, JR.**

**CARLA SUE REYNA**

  
**ELDA BELINDA REYNA**

**FOR PLAINTIFF:**

**KENNETH MAGIDSON**  
United States Attorney  
Southern District of Texas

By:

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**AGREED AS TO FORM AND SUBSTANCE:**

**DEFENDANTS:**

*s/ Ediberto B. Reyna, Jr. (by permission)*  
**EDIBERTO B. REYNA, JR.**

*s/ Carla Sue Reyna (by permission)*  
**CARLA SUE REYNA**

**ELDA BELINDA REYNA**

**FOR PLAINTIFF:**

**KENNETH MAGIDSON**  
United States Attorney  
Southern District of Texas



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